

## Bureau of Indian Affairs, Interior

## § 256.29

copy of the notice and returning it to the servicing housing office representative.

### **§ 256.24 How many times can I receive improvements, repairs, or replacement services under the Housing Improvement Program?**

(a) Under Interim Improvements, Category A, you can receive services under the Housing Improvement Program more than one time, for improvements to the dwelling in which you are living to improve the safety or sanitation of the dwelling:

(1) For not more than a total cost of \$2,500;

(2) For not more than one dwelling.

(b) Under Repairs and Renovation, Category B, after October 1, 1986, you may receive services one time, for repairs to the dwelling that you own and occupy that requires not more than \$35,000 to make the dwelling meet applicable building code standards.

(c) Under Replacement Housing, Category C, after October 1, 1986, you may receive services one time, for a modest replacement home.

### **§ 256.25 Will I need flood insurance?**

You will need flood insurance if your dwelling is located in an area identified as having special flood hazards under the Flood Disaster Protection Act of 1973 (Pub. L. 93-234, 87 Stat. 977). Your servicing housing office will advise you.

### **§ 256.26 Is my Federal government-assisted dwelling eligible for services under the Housing Improvement Program?**

Yes. You may receive services under the Housing Improvement Program if your home was purchased through a Federal government sponsored home program that does not include provision for housing assistance.

### **§ 256.27 Can I receive Housing Improvement Program services if I am living in a mobile home?**

Yes. If you meet the eligibility criteria in § 256.6 and there is sufficient funding available, you can receive any of the Housing Improvement Program services identified in § 256.7. If you require Category B services and your mobile home has exterior walls of less than three inches, you must be provided Category C services.

### **§ 256.28 Can Housing Improvement Program resources be supplemented with other available resources?**

Yes. Housing Improvement Program resources may be supplemented through other available resources to increase the number of Housing Improvement Program recipients.

### **§ 256.29 What can I do if I disagree with actions taken under the Housing Improvement Program?**

You may appeal action or inaction by an official of the Bureau of Indian Affairs, in accordance with 25 CFR part 2. You may appeal action or inaction by tribal officials through the appeal process established by the servicing tribe.

## SUBCHAPTER L—HERITAGE PRESERVATION

### PART 262—PROTECTION OF ARCHAEOLOGICAL RESOURCES

Sec.

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AUTHORITY: 16 U.S.C. 470aa–11.

CROSS REFERENCE: For uniform regulations issued by the Departments of Agriculture, Defense, and the Interior and the Tennessee Valley Authority pertaining to the protection of archaeological resources, and for supplemental regulations issued by the Department of the Interior pertaining to the same, see 43 CFR part 7, subparts A and B.

SOURCE: 58 FR 65249, Dec. 13, 1993, unless otherwise noted.

#### § 262.1 Purpose, scope and information collection.

(a) *Purpose and scope.* The purpose of this part is to implement certain provisions of the Archaeological Resources Protection Act (Act) of 1979 (16 U.S.C. 470aa–11), in accordance with section 10(b) and consistent with uniform regulations promulgated under section 10(a) by the Secretaries of the Interior, Agriculture, and Defense and the Chairman of the Board of the Tennessee Valley Authority (43 CFR part 7, 36 CFR part 296, 32 CFR parts 229 and 1312) on February 6, 1984. This part shall provide guidance to officials of the Bureau of Indian Affairs (BIA) on the implementation of the Act as it pertains to this agency.

(b) *Information collection.* The information collection requirements contained in § 262.5 do not require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

#### § 262.2 Definitions.

As used for purposes of this part:

(a) *Funerary objects* means objects that, as a part of the death rite or cere-

mony of a culture, are reasonably believed to have been placed with human remains of Indians either at the time of death or later, or to have been made exclusively for burial purposes or to contain such remains.

(b) *Sacred objects* means specific ceremonial objects that are needed by traditional Indian religious leaders for the practice of traditional Indian religions by their present day adherents.

(c) *Object of cultural patrimony* means an object having ongoing historical, traditional, or cultural importance central to an Indian tribe itself and that shall have been considered inalienable by the tribe at the time the object was separated therefrom.

(d) *Indian individual* means:

(1) Any person who is an enrolled member of a Federally recognized Indian tribe;

(2) Any person who is a descendent of such a member and was, on June 1, 1934, physically residing within the present boundaries of any Indian reservation; or

(3) Any other person of one-half or more Indian blood of tribes indigenous to the United States.

(e) *Lands of Indian tribes* means land or any interest therein:

(1) The title to which is held in trust by the United States for an Indian tribe; or

(2) The title to which is held by an Indian tribe, but which cannot be alienated or encumbered by the owner without the approval of the Secretary because of limitations contained in the conveyance instrument pursuant to Federal law or because of a Federal law directly imposing such restrictions.

(f) *Lands of Indian individuals* means land or any interest therein:

(1) The title to which is held in trust by the United States for the benefit of Indian individuals; or

(2) The title to which is held by Indian individuals, but which cannot be alienated or encumbered by the owner without the approval of the Secretary because of limitations contained in the conveyance instrument pursuant to Federal law or because of a Federal law directly imposing such restrictions.